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Approved for use through 07/31/2006. OMB 0651-0031
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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional) D12.P2013
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First named inventor: Gopal Chittariga

Application No.: 08/753,182 Art Unit: 2687

Filed: January 2, 2001 Examiner: Tah D. Hoang

Title: DYNAMIC CHANNEL ALLOCATION IN MULTIPLE-ACCESS COMMUNICATIONS SYSTEMS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of _____ (Identify type of reply):

☐ has been filed previously on _____

☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1700 _____

☐ has been paid previously on _____

☒ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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08/08/2006 TBESNAH2 00000038 503703 09753182

01 FC:1453 1500.00 DA

PTO/SB/84 (09-04)
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3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/83).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Gregory C. Ranieri
Signature

August 4, 2006
Date

Gregory C. Ranieri
Typed or printed name

29,695
Registration Number, if applicable

1700 NW 187th Place, Suite 240
Address

(503) 439-6500
Telephone Number

Beaverton, OR 97006
Address

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☒ Other: PTO-85, Issue Fee and Publication Fee

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

August 4, 2006
Date

Ilka Dalton
Signature

Ilka Dalton
Typed or printed name of person signing certificate

Please find attached for filing in connection with application no. 09/753,182, entitled DYNAMIC CHANNEL ALLOCATION IN MULTIPLE-ACCESS COMMUNICATION SYSTEMS, the following documents:

- * Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (2 pages)
- * Statement in Support of Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (1 page)
- * Form PTOL85, Issue and Publication Fee (1 page)
- * Power of Attorney (1 page)
- * Statement Under 37 CFR 3.73(b) (2 pages)

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Ilka Dalton
Legal Assistant
Berkeley Law & Technology Group, LLC
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Phone: 503.439.6500
Fax: 503.439.6558

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Fax

To:	Mail Stop Petition	From:	Gregory Ranieri
Fax:	571.273.8300	Pages:	8, including this cover sheet
Phone:		Date:	August 4, 2006
Our Ref:	012.P2013	CC:	

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Please find attached for filing in connection with application no. 09/753,182, entitled DYNAMIC CHANNEL ALLOCATION IN MULTIPLE-ACCESS COMMUNICATION SYSTEMS, the following documents:

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- Form PTOL85, Issue and Publication Fee (1 page)
- Power of Attorney (1 page)
- Statement Under 37 CFR 3.73(b) (2 pages)

CERTIFICATE OF FACSIMILE TRANSMISSION

*I hereby certify that this correspondence is being transmitted by facsimile to the
U.S. Patent and Trademark Office on:*

August 4, 2006

Date of Transmission

Ilka Dalton

Name of Person Transmitting Correspondence



Signature

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012.P2013

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Gopal Chillariga

Application No.: 09/753,182

Filed: January 2, 2001

For: DYNAMIC CHANNEL ALLOCATION
IN MULTIPLE-ACCESS
COMMUNICATIONS SYSTEMS*I hereby certify that this correspondence is being
transmitted by facsimile to the U.S. Patent and
Trademark Office on:*August 4, 2006*Date of Transmission*Ilka Dalton*Name of Person Transmitting Correspondence**Ilka Dalton*
*Signature*Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450STATEMENT IN SUPPORT OF PETITION FOR REVIVAL
OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER
37 CFR 1.137(b)

Sir:

In support of the Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(B), Petitioner notices that a clerical error was made in the Customer Number affixed to the Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address filed on September 7, 2004. The incorrect Customer Number of 43813 was used instead of 43831. That error caused all papers to be delivered to the incorrect law firm. As a result, Petitioner was unaware of, or at least significantly delayed in being made aware of, the favorable actions by the USPTO.

Assignee has maintained an intention to issue the patent on the allowed application as evidenced by the filing of the RCE on May 16, 2005 by Assignee's current legal representative (Customer No. 43831), which advanced this application to allowance.

The remarks above support the fact that the abandonment of this case was unintentional.

Respectfully submitted,

Berkeley Law and Technology Group, LLC

Dated: Aug. 4, 2006*Gregory Rani*
Gregory Rani
Reg. No. 29,695Customer No. 43831
Berkeley Law & Technology Group, LLC
1700 NW 167th Place, Suite 240
Beaverton, OR 97006
503.439.6500

PTO/SB/80 (04-05)

Approved for use through 11/30/2005, OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

00043831

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:



The address associated with Customer Number:

00043831

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		

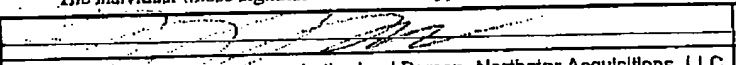
Assignee Name and Address:

Northstar Acquisitions, LLC
2215-B Renaissance Drive, Suite 5
Las Vegas NV 89119

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	18 JAN 2006
Name	Authorized Person, Northstar Acquisitions, LLC		Telephone
Title			

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Northstar Acquisitions, LLCApplication No./Patent No./Control No.: 09/753,182 Filed/Issue Date: 1/2/2001Entitled: DYNAMIC CHANNEL ALLOCATION IN MULTIPLE-ACCESS COMMUNICATIONS SYSTEMS**RECEIVED
CENTRAL FAX CENTER****AUG 04 2006**Northstar Acquisitions, LLC

(Name of Assignee)

a Limited Liability Company

(Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a true copy of the original assignment is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Gopal Chillariga, et. al To: MDiversity Inc.
The document was recorded in the United States Patent and Trademark Office at
Reel 011714, Frame 0192, or for which a copy thereof is attached.
2. From: MDiversity Inc. To: Mobility Network Systems Inc.
The document was recorded in the United States Patent and Trademark Office at
Reel 014455, Frame 0191, or for which a copy thereof is attached.
3. From: MDiversity Inc. To: Mobility Network Systems, Inc.
The document was recorded in the United States Patent and Trademark Office at
Reel 012598, Frame 0079, or for which a copy thereof is attached.

☒ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Michael J. Willardson, Reg. No. 50,856

Printed or Typed Name

Attorney at Law

Title

Date

503.439.6500

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Statement Under 37 CFR 3.73(b) Continued

4. From: Mobility Network Systems, Inc. To: Pentech Financial Services, Inc.

The document was recorded in the United States Patent and Trademark Office at
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5. From: Mobility Network Systems, Inc. To: Pentech Financial Services, Inc.

The document was recorded in the United States Patent and Trademark Office at
Reel: 014462 , Frame 0589 , or for which a copy thereof is attached.

6. From: Pentech Financial Services, Inc. To: Northstar Acquisitions, LLC

The document was recorded in the United States Patent and Trademark Office at
Reel: 014484 , Frame 0037 , or for which a copy thereof is attached.

7. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
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